IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

TUESDAY, THE 23RD JANUARY 2007 / 3RD MAGHA 1928

Bail Appl..No. 361 of 2007(P)

CMP.163/2007 of J.M.F.C.-III,PALAKKAD

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: ACCUSED NO;2

PRABHOSH, S/O. SWAMINATHAN,
THONIPALLAM HOUSE, THEKKEDESAM,
NALLEPULLI, CHITTUR, PALAKKAD.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENT: COMPLAINANT

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR , HIGH COURT OF KERALA,
ERNAKULAM, REPRESENTING S.I. OF POLICE,
TOWN SOUTH POLICE STATION, PALAKKAD.

BY PUBLIC PROSECUTOR SHRI JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 23/01/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.361 OF 2007

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DATED THIS THE 23rd DAY OF JANUARY, 2007

O R D E R

Petitioner who is the second accused in Crime No.383/06 of Town South Police Station, Palakkad for offences punishable under sections 143, 147, 148, 452, 324, 326, 427 and 307 read with section 149 IPC and section 27 of the Arms Act, 1959, seeks his enlargement on bail.

2. The occurrence took place on 17.10.2006 during which the accused persons are alleged to have attacked the de facto complainant with deadly weapons like sword, iron rod, etc. at a time when the de facto complainant was undergoing treatment in the hospital.

3. Learned Public Prosecutor opposed the application submitting, inter alia, that the petitioner is a known 'gunda' in that area against whom there are 8 other crimes. The petitioner was arrested only on 5.1.2007. Persons like the petitioner who commit such daring crimes by even trespassing into a hospital and attacking the patients undergoing treatment will definitely influence and intimidate the prosecution witnesses. Investigation is still in the preliminary stage. I am not inclined to grant bail to the petitioner.

This petition is accordingly dismissed.

V.RAMKUMAR, JUDGE

dsn